IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 4TH APRIL 2007 / 14TH CHAITHRA 1929

WP(C).No. 11835 of 2007(H)

PETITIONER:

MADHUSOODHANAN NAIR, KALLARATHALAKKAL,
PLAVARAKONAM, PEYAD P.O., THIRUVANANTHAPURAM.

BY ADV. SRI.D.KISHORE

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY ITS SECRETARY, LOCAL SELF GOVERNMENT DEPARTMENT, THIRUVANANTHAPURAM.

2. THE TOWN PLANNER, REGIONAL TOWN PLANNING OFFICE, NEAR AKG CENTRE, PALAYAM, THIRUVANANTHAPURAM.

BY G.P. SHRI.V.I.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.11835 of 2007

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Dated this the 4th day of April, 2007

J U D G M E N T

The petitioner is aggrieved by the draft scheme published by the 1st respondent for varying the General Town Planing Scheme for Thiruvananthapuram. The draft scheme was published on 23.1.2006 and as per the notification, objections were to be submitted before 16.1.2007. The petitioner points that as per the Town Planning Act, the 2nd respondent was bound to give 60 days' time for filing objections, whereas Ext.P2 notification gives only 21 days' time. The petitioner has filed Ext.P3 objections to the scheme and he seeks a direction to the 2nd respondent to consider Ext.P3 objections also before finalising the draft scheme.

2. I have heard the learned counsel for the petitioner as also the learned Government Pleader.

3. In the facts and circumstances of the case

I am satisfied that the 2nd respondent can be directed to consider Ext.P3 objections filed by the petitioner also before the finalisation of the draft scheme. Accordingly, there would be a direction to the 2nd respondent to consider Ext.P3 objections also before finalisation of the draft scheme pursuant to Ext.P2, if not already finalised.

Writ petition is disposed of as above.

Sd/-
sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.